

Serial No. 10/062,588 filed July 5, 2001  
Response of November 20, 2008  
to Office Action of June 20, 2008

**Remarks**

Receipt is acknowledged of the Office Action of June 20, 2008. An extension of the time provided for response is respectfully requested. The Commissioner is hereby authorized to debit all amounts due from Deposit Account No. 50-1604, and it is requested that any overpayments in this application be credited thereto.

In the Office Action, the claims were rejected based on the Herr patent (U.S. Patent No. 4,791,682) and the Burnett patent (U.S. Patent No. 3,146,464). In response, the claims have been amended as set forth above.

It is submitted that the references do not teach or suggest the subject matter of amended claim 16. For example, neither reference teaches an article for holding a pot, the article having a ring affixed thereto, the ring having sufficient flexibility such that a user can exert force to increase the width of the slit, the ring having memory such that the slit returns to its original width when the force is removed. The subject matter of claim 25 is likewise not taught in the references.

Accordingly, it is submitted that the art does not teach or suggest the features of the invention claimed above. Additionally, it is submitted that the art, which is directed to a baby bib and a glove for holding a fuel pump, is not analogous to the present invention. Nor would it be obvious to one of skill in the art to modify the art to apply the claimed features to an article for holding a pot or a towel-related product.

It is also submitted that independent claim 16, which has been amended from an oven mitt to an article for holding a pot to make it generic, remains within the scope of the elected invention.

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(Claim 20 to a towel related product has been rewritten as new claim 25, but still recites a towel-related product).

In addition, new dependent claims have been added hereto. It is submitted that upon allowance of the generic claim, the dependent claims would all be allowable, including both the claims specifically reciting the elected oven mitt, and the claims to the potholder embodiment (which was not an elected species, but would be allowable upon allowance of the generic claim).

In the Office Action, a double patenting rejection was also issued against the pending claims. Further thereto, it is requested that the double patenting rejection be reconsidered in light of the amendments above. In the event that the rejection is maintained, it is submitted that a terminal disclaimer can address the rejection.

Accordingly, favorable action on the application is respectfully requested.

Dated: December 18, 2008

Respectfully submitted,

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